IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 5151 of 2005

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG
HON'BLE MR.JUSTICE RAVI R.TRIPATHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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DHIRAJLAL RAMJIBHAI KARIA - Petitioner(s)

Versus

ELECTION OFFICER & 112 - Respondent(s)

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Appearance :

MR HARIN RAVAL for MR HRIDAY BUCH for Petitioner No(s).: 1.

Ms.Pauromi Sheth,AGP for Respondent No.2.

RULE SERVED for Respondent No(s).: 1,3,4.
MR TUSHAR MEHTA for Respondent No(s).: 5.
MR BS PATEL for MR CHIRAG B PATEL for Respondent No(s).: 6,
7, 8, 9, 10, 11, 12, 13, 14, 15,
16, 17, 18, 19, 20, 21, 22, 23, 24,
25, 26, 27, 28, 29, 30, 31, 32, 33,
34, 35, 36, 37, 38, 39, 40, 41, 42,
43, 44, 45, 46, 47, 48, 49, 50, 51,
52, 53, 54, 55, 56, 57, 58, 59, 60,
61, 62, 63, 64, 65, 66, 67, 68, 69,
70, 71, 72, 73, 74, 75, 76, 77, 78,
79, 80, 81, 82, 83, 84, 85, 86, 87,
88, 89, 90, 91, 92, 93, 94, 95, 96,
97, 98, 99, 100, 101, 102, 103, 104, 105,
106, 107, 108, 109, 110, 111, 112,113.

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG

and

HON'BLE MR.JUSTICE RAVI R.TRIPATHI

Date : 27/07/2005

ORAL JUDGMENT

(Per : HONOURABLE MR.JUSTICE R.S.GARG)

1. It is not in dispute before us that by an order passed on 20th July, 2005, the Joint Secretary (Appeals), Agriculture & Cooperation Department, Gandhinagar has finally disposed of the Revision Application No. 87 of 2005, preferred by as many as 110 petitioners, who are also respondents in these proceedings. It is to be noted that the present writ application came to be filed against the interim order made by the revisional authority in favour of the respondents. During pendency of this writ application, we had issued a direction that it would be within the sole discretion of the Election Officer to include or not to include the names of these 110 persons. The Election Officer had issued order saying that the names of 110 persons would be included in the Voters' List subject to final outcome of this writ application.

1. As the revision application itself has been dismissed on 20th July, 2005, the interim order made by the revisional authority in favour of those 110 persons would terminate with the final order. Nothing further

is required to be done in this matter. The petition is disposed of. The Election Officer is hereby directed to proceed in the matter in accordance with law and after taking into consideration the effect of the judgment passed by the revisional authority. Direct service is allowed.

[R.S. GARG, J.]

[RAVI R. TRIPATHI, J.]

pirzada/-